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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/133,392	10/08/93	WALLING	J 22141

08/133,392

10/08/93

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

WALLING

J 22141

NIMMO, M

R. J. AUSTIN
NORTHERN TELECOM LIMITED - PATENT DEPT.
P.O. BOX 3511, STATION C
OTTAWA, ONTARIO, CANADA K1Y 4H7

E1M1/0802

ART UNIT

PAPER NUMBER

2103

DATE MAILED: 08/02/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of informal Patent Application, Form PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1 - 7 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 1 are rejected.

5. Claims 2 - 7 are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable. not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed on _____, has been approved. disapproved (see explanation).

12. Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

2. The drawings are objected to because they are informal and figure 1 is not understood. It is not clear what structure is being taught. What does the web-like 18 lines represent? Is this suppose to be a web, similar to figure 2 in the French cited reference 1265877.? If so then thickness most be shown without the lines. Also the reference numeral 14, which is used to identify insulation in the specification is not shown on figure 1. Also the reference numeral 18 on figure 1 is not given in the specification and explained. Refer to the PTO-948 enclosed. Correction is required.

3. Correction of the drawing as set forth in the paragraph just preceding is required. A separate letter entitled "Request to Approve Drawing Changes" , in which the required changes are requested, and an accompanying sketch prepared in accordance with 37 CFR 1.123 and showing the changes thereon in red ink must be filed with the response to this action.

4. The disclosure is objected to because of the following informalities: On page 6, lines 20-23, is the statement about the effect of the increasing and decreasing twist length correct? It

appears to conflict with the sentence on page 5 beginning at line 18 and ending on line 22. Appropriate correction is required.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Gabriel. See the figure. In view of the overall description of the invention some of the pairs are considered to have different twist lengths and some of the pairs are considered to have different insulation thicknesses.

7. Claims 2-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brown et al, Motley, Burr and Friesen et al teach twisted pairs where lay lengths vary. Adriaenssens et al teaches twisted pairs where the lay length is specifically stated. Beggs teaches twisted pairs with short lay lengths.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Morris Nimmo whose telephone number is (703) 308-3113.

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Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1782.

mhn
May 17, 1994

MORRIS H. NIMMO
PRIMARY EXAMINER
ART UNIT 213

